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11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 **RUDOLPH ZAHLER,**
14 **PKA RIZ STORY**

15 Plaintiff,

16 vs.

17 **STEPHEN HOWE; "YES," A**
18 **BUSINESS ENTITY, CORPORATE**
19 **FORM AND RESIDENCE**
20 **UNKNOWN; JON DAVISON;**
21 **SONY MUSIC ENTERTAINMENT,**
22 **A DELAWARE GENERAL**
23 **PARTNERSHIP**

CASE NO.: 2:24-cv-09818-AH-E

EX PARTE APPLICATION FOR
ORDER AUTHORIZING SERVICE
OF SUMMONS AND COMPLAINT
ON STEPHEN HOWE BY
SUBSTITUTED SERVICE AND
ADDITIONAL TIME TO SERVE
DEFENDANT JON DAVISON;
DECLARATION OF LARRY J.
CALDWELL

[proposed] ORDER submitted

1
2 Plaintiff, Rudolph Zahler, requests the following ex parte relief:

- 3 1. An order authorizing leave to serve defendant Stephen Howe by
4 California-style substituted service, even though he resides in the
5 United Kingdom;
6 2. An additional 60 day to serve defendant Jon Davison;
7 3. Mr. Zahler has decided to dismiss defendant "YES," as it is unnecessary
8 for the relief sought.

9 Prior to filing this Ex Parte Application, counsel for Mr. Zahler did
10 not meet and confer with attorneys for any of the Defendants in compliance
11 with Local Rule 7-3, because none of the defendants are represented by
12 counsel.

13 **Request for Leave to Serve Stephen Howe Through California-**
14 **Style Substituted Service**

15 As discussed in the Declaration of Larry J. Caldwell, leave to serve
16 Mr. Howe by substituted service is needed because, after spending months
17 locating Mr. Howe's primary residence in London and paying a private
18 investigator out to personally serve Mr. Howe under the Hague Convention,
19 a woman who is apparently his wife has greeted our investigatory at the
20 door and informed him that Mr. Howe is allegedly at a different residence in
21 Devon, a rural community four hours away. This appears to be the
22 proverbial "wild good chase."

23 Meanwhile, Mr. Howe is well aware of the lawsuit, as it has been
24 served on him indirectly through other means, including by email on his
25 former attorney, Elliot Berke, who is now representing Defendant Sony, and
26 on by email on Mr. Howe's personal manager. The lawsuit was also covered
27 prominently in Rolling Stone magazine, and Mr. Howe posted a response to
28 that article.

The substituted service Mr. Zahler has in mind would be two more

trips to Mr. Howe's London residence, leaving the Summons and Second Amended Complaint on the send trip, and mailing a copy of the service package to him at that address.

Request for an Additional Sixty Days in Which to Serve Jon Davison, and Leave to Serve Him by Substituted Service as Well

As discussed in the Declaration of Larry J. Caldwell, despite diligent efforts, Mr. Zahler's attorney has not yet located Defendant Jon Davison, although Mr. Zahler and his attorney have had lots of email conversations about the lawsuit with him. The efforts to locate Mr. Davison included using an online people search engine for the United Kingdom. Unfortunately, the available people search engine for the United Kingdom is not as robust as similar search engines in the United States. Mr. Zahler's attorney has been unable to locate Mr. Davison so far. One issue that has hindered the search is that Mr. Davison appears to use inconsistent spellings of his first name, sometimes using "John," and sometimes "Jon."

At any rate, Mr. Zahler requests an additional 60 days in which to serve Mr. Davison. Mr. Zahler also requests leave to serve Mr. Davison by California-style substituted service, or by email service on the primary email address Mr. Davison has been using to communicate with Mr. Zahler and his attorney.

Dated: July 17, 2025.

s/ Larry J. Caldwell

LARRY J. CALDWELL,

Attorney for Plaintiff Rudolph Zahler

DECLARATION OF LARRY J. CALDWELL

I, Larry J. Caldwell, declare:

1. I am an attorney licensed to practice law in California since 1979. I have personal knowledge of the following facts.

2. I am requesting leave to serve Mr. Howe by substituted service is needed because, after spending months locating Mr. Howe's primary residence in London and paying a private investigator out to personally serve Mr. Howe under

1 the Hague Convention, a woman who is apparently his wife has greeted our
2 investigator at the door and informed him that Mr. Howe is allegedly at a
3 different residence in Devon, a rural community four hours away. This appears to
4 be the proverbial “wild good chase.” It is obvious Mr. Howe is evading service.

5 3. Meanwhile, Mr. Howe is well aware of the lawsuit, as it has been
6 served on him indirectly through other means, including by email on his former
7 attorney, Elliot Berke, who is now representing Defendant Sony, and on by email
8 on Mr. Howe’s personal manager. The lawsuit was also covered prominently in
9 Rolling Stone magazine, and Mr. Howe posted a response to that article.

10 4. The substituted service I have in mind would be two more trips to
11 Mr. Howe’s London residence, leaving the Summons and Second Amended
12 Complaint on the send trip, and mailing a copy of the service package to him at
13 that address.

14 5. Despite diligent efforts, I also have not yet located Defendant Jon
15 Davison, although my client and I have had lots of email conversations about the
16 lawsuit with him. The efforts to locate Mr. Davison included using an online
17 people search engine for the United Kingdom. Unfortunately, the available people
18 search engine for the United Kingdom is not as robust as similar search engines in
19 the United States. I have been unable to locate Mr. Davison so far. One issue
20 that has hindered the search is that Mr. Davison appears to use inconsistent
21 spellings of his first name, sometimes using “John,” and sometimes “Jon.”

22 6. At any rate, I would request an additional 60 days in which to serve
23 Mr. Davison. I also request leave to serve Mr. Davison by California-style
24 substituted service, or by an email sent to the primary email address Mr. Davison
25 has been using to communicate with Mr. Zahler and me.

26 I declare under penalty of perjury, under the laws of the State of
27 California, that I executed this Declaration on July 17, 2025, in Santa
28 Monica, California.

/s Larry J. Caldwell